

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MAINE**

COMCAST OF MAINE/NEW HAMPSHIRE,
INC., *et al.*,

Plaintiffs,

v.

JANET MILLS, in Her Official Capacity as
the Governor of the State of Maine, *et al.*,

Defendants.

CIVIL ACTION NO.: 1:19-cv-00410-NT

**STATE DEFENDANTS' MOTION TO FILE 25-PAGE BRIEF IN
OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7(d), the State Defendants, Governor Janet T. Mills and Attorney General Aaron M. Frey, who are both being sued in their official capacities, respectfully request leave to file a 25-page brief in opposition to plaintiffs' motion for preliminary injunction. In support, defendants state as follows:

1. Defendants' opposition to plaintiffs' preliminary injunction motion is due on Monday, October 7, 2019.
2. Under Local Rule 7(d), defendants' brief is limited to 20 pages.
3. At issue in this case is the constitutionality of a Maine statute requiring cable television operators to offer subscribers the option of purchasing access to cable channels and programs individually.
4. The case involves issues of federal preemption and the First Amendment, and defendants do not anticipate being able to brief all of the relevant legal and factual issues within 20 pages, but they anticipate that they can do so if permitted to file a 25-page brief.

5. Defendants' counsel has contacted counsel for the plaintiffs, and he stated that plaintiffs take no position on this motion.¹

WHEREFORE, the State Defendants respectfully request that they be permitted to file a 25-page brief in opposition to plaintiffs' motion for preliminary injunction.

DATED: October 2, 2019

Respectfully submitted,

AARON M. FREY
Attorney General

/s/ Christopher C. Taub
Christopher C. Taub, Asst. Atty. Gen.
Christopher.C.Taub@maine.gov
Six State House Station
Augusta, Maine 04333-0006
Tel. (207) 626-8800
Fax (207) 287-3145

¹ State Defendants' counsel has not contacted the various attorneys representing the different cities and towns that are co-defendants in this action. If the Court so requests, counsel will obtain each co-defendant's position regarding this motion and report that information to the Court.

CERTIFICATE OF SERVICE

I hereby certify that on this, the 2nd day of October, 2019, I electronically filed the above document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

AMY K. TCHAO
atchao@dwmlaw.com

DAVID P. MURRAY
dmurray@willkie.com

EBEN M. ALBERT
ealbert@bernsteinshur.com

ERIN LORRAINE DOZIER
edozier@nab.org

JAMES S. BLACKBURN
james.blackburn@arnoldporter.com

JEFFREY T. PIAMPIANO
jpiampiano@dwmlaw.com

JESSICA L. MAHER
jmaher@mb-law.com

JESSICA L. SABA
jessica.saba@lw.com

JOHN C. ULIN
john.ulin@arnoldporter.com

JOHN W. CONWAY
jconway@lcwlaw.com

RICHARD H. GRIFFIN
richard.griffin@lw.com

ROGER R. THERRIAULT
rtherriault@tlawmaine.com

SALLY J. DAGGETT
sdaggett@jbgh.com

JOSHUA A. RANDLETT
jrandlett@rudmanwinchell.com

JOSHUA A. TARDY
jtardy@rudmanwinchell.com

KRISTIN M. COLLINS
kcollins@preti.com

MATTHEW A. BRILL
matthew.brill@lw.com

MATTHEW T. MURCHISON
matthew.murchison@lw.com

MELANIE A. MEDINA
mamedina@willkie.com

MICHAEL D. HURWITZ
mhurwitz@willkie.com

MICHAEL H. HERMAN
michael.herman@lw.com

OSCAR RAMALLO
oscar.ramallo@arnoldporter.com

PHILIP R. SAUCIER
psaucier@bernsteinshur.com

STEPHEN BLAKE KINNAIRD
stephenkinnaird@paulhastings.com

STEPHEN E. F. LANGSDORF
slangsdorf@preti.com

TIMOTHY C. WOODCOCK
twoodecock@eatonpeabody.com

WILLIAM KENNEDY
wkennedy@ddlaw.com

/s/ Christopher C. Taub
CHRISTOPHER C. TAUB
Assistant Attorney General
Six State House Station
Augusta, Maine 04333-0006
Tel. (207) 626-8800
Fax (207) 287-3145